

GOVERNMENT OF TELANGANA
ABSTRACT

R & B Department – Sanction of an amount of Rs.16,76,408/- from the Head of Account 5054-80-001-GH.11-SH(04)-530-532 lands towards decretal amount to be deposited in OP No.173/1989 - Administrative Sanction – Accorded – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R-1) DEPARTMENT

G.O.MS.No. 57

Dated: 01/12/2015
Read the following:-

From the Engineer-in-Chief (R&B) State Roads & CRN, Hyd.,
Lr.No.32699/Vikarabad ROB/EE(R)/DEE 7/AEE1/2016,
Dt:14.08.2015,19.11.2015.

O R D E R:

In the reference read above, the Engineer-in-Chief (R&B), State Roads & CRN, Hyderabad has informed that an extent of Ac.3-06 Gts (15,246 Sq Yards) in Sy No.21 & 22 of Gangaram Village, Vikarabad, Ranga Reddy District was acquired towards Land Acquisition for Construction of ROB in lieu of LC No 17 near Vikarabad Railway Station during 1987. The award was passed during 1989 duly fixing the land value as Rs.20/- per Sq yard and deducting 36.8% of gross area from the land value towards area development charges.

2. He has informed that aggrieved by the award passed by the Revenue authorities the claimants filed a petition on deduction of 36.8% area in the court of Senior Civil Judge, Vikarabad Division and a decree was awarded duly enhancing the land value from Rs.20 to Rs.25/-. In the decree it was mentioned that "the claimants are entitled to 30% solatium on the compensation amount. They shall not be entitled to any additional market value U/s 23 (IA) of the Act as possession of the land was taken prior to the notification and interest was computed from that date on the price existing on the date of notification. The claimants are also entitled to interest at 9% per annum from 22-02-1987 to 21-02-1988 and there after 15% per annum on the unpaid balance amount". In the decree no information was given on the repayment of 36.8% area towards developmental charges.

3. He has also informed that again the claimants filed appeal in the Hon'ble High Court on the order of Senior Civil Judge Vikarabad for enhancing the land value from Rs.25/- to Rs.75/-. The Hon'ble High Court has enhanced the land value from Rs.25/- to Rs.75/- per Sq yard and decree passed on 03.11.1999 without speaking anything on the payment of 36.8% of deducted area towards the developmental charges. As per the decree the Sub-Collector, Vikarabad has deposited the amount of Rs.11,65,459/-(i.e., enhancement of Square yard rate from 25/- to 75/-) as follows.

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| (a) | Amount deposited during 2002 vide DD No 875567, dt.05.02.2002=Rs. 2,86,740/- |
| (b) | Amount deposited during 2001 vide DD No 418474, dt 27.04.2004 =Rs. 8,78,719/- |
| (c) | Total=Rs.11,65,459/- The amount was deposited duly calculating the interest up to 26.04.2004. |

4. Subsequently the other decree holders filed EP No.16/2001 in OP No173/89 before the Sr Civil Judge, Vikarabad for payment towards the area deducted @ 36.8% (i.e., 3295.00 Sq yards)

5. He has further informed that the Sub-Collector Vikarabad has filed a petition in the Hon'ble Court of Senior Civil Judge, stating that the land under acquisition is with in the Municipal limits of Vikarabad town Municipality and relied on the genuine

sales of smaller extents in fixing the land value on yard age basis. These rates are prevalent in well developed localities where area is left for roads, drains, public purpose etc. hence certain extent of land would have been set apart for roads and open spaces etc. the land Sy No.22 of gangaram village has been approved in LP No.467/86 Dt.07.08.1986 to which 31.8% has been left for roads and 5% for open space. Thus total 36.8% of gross area has been left. Accordingly the deduction of 36.8% of the land value is allowed in the award. The calculations shown in the affidavit clearly stated that the total amount had been will be represented to the Hon'ble High Court to attach the properties of requisition department i.e., R&B.

6. The Engineer – in- Chief(R&B),SR&CRN has informed that the Non-Drawal certificate submitted by the Sub-Collector/Vikarabad wherein it is informed that the lands are not covered in any earlier award/enhanced decree and compensation has not been paid earlier in EP No.16/2000 & 16/2001 in As Nos 2640/1993 against OP No.173 of 1989 on the file of the Senior Civil Judge, Vikarabad.

7. The Engineer-in-Chief (R&B) State Roads & CRN, Hyderabad has requested to accord administrative sanction for Rs.16,76,408/- for the Head of Account 5054-80-001-GH.11-SH(04)-530-532 Lakhs in order to avoid the legal complications.

8. Government, after careful examination of the matter, hereby accord Administrative Sanction for an amount of Rs.16,76,408/- towards decretal amount to be deposited in O.P.No.173/1989 from the Head of Account 5054-80-001-GH.11-SH(04)-530-532 Lands.

9. The Engineer-in- Chief (R&B), SR&CRN,Hyderabad shall take further action accordingly.

10. This order issues with the concurrence of Finance (EBS X) Department vide their U.O.No.14063/447/A1/EBS X/2015, Dt.4-11-2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SUNIL SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in- Chief (R&B), SR&CRN, Hyderabad.

Copy to:

The Director, Works & Accounts, Telangana, Hyderabad.

The Pay and Accounts Officer, Rangareddy.

The Accountant General, Telangana, Hyderabad.

The Finance (EBS X) Department.

P.S. to M(R&B).

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//FORWARDED: BY ORDER//

SECTION OFFICER